

TOWN OF CLINTON
CHAPTER 2 OF THE MUNICIPAL CODE
OF THE TOWN OF CLINTON

DOGS

SECTION ONE. DEFINITIONS:

a. Owner. “Owner” means any person owning, harboring or keeping a dog. The occupant of any premises on which a dog remains, or to which it customarily returns daily, for a period of ten days is presumed to be harboring or keeping the dog within the meaning of this section.

b. At large. A dog “at large” means a dog which is off the premises of the dog=s owner and not under the control of some person either by leash or other physical means of restraint. A dog within an automobile of its owner or in an automobile of any other person with the consent of the dog=s owner shall be deemed to be upon the owner=s premises.

c. Dog Officer. “Dog Officer” means an officer designated and appointed by the Town Board to enforce provisions of this ordinance.

SECTION TWO. LISTING, LICENSING AND TAGGING.

It shall be unlawful for any person in the Town to own, harbor, or keep any dog more than five months of age without complying with the provisions of Chapter 174 of the Wisconsin Statutes, relating to the listing, licensing and tagging of dogs.

SECTION THREE. RESTRICTIONS ON KEEPING DOGS.

It shall be unlawful for any person within the Town to harbor or keep any dog which:

- (a) Habitually pursues any vehicle upon any public street or highway in the Town.
- (b) Assaults or attacks any person.
- (c) Is at large within the Town.
- (d) Habitually barks or howls to the reasonable annoyance of any person or persons.
- (e) Kills or wounds any domestic animal.
- (f) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.

SECTION FOUR. DUTY OF OWNER IN CASE OF DOG BITE.

Every owner who knows that his or her dog has bitten any person shall immediately report such fact to the Dog Officer or the Town Chairman and shall keep such dog confined for not less than 14 days or for such period of time as the Dog Officer shall direct. The owner of any such dog shall surrender the dog to the Dog Officer or any law enforcement officer upon demand for examination.

SECTION FIVE. IMPOUNDING OR DESTRUCTION OF DOGS.

a. Impounding. In addition to any penalty hereinafter provided for a violation of this ordinance, any law enforcement officer or the Dog Officer may impound any dog which habitually pursues any vehicle upon any public street or highway of the Town or assaults or attacks any person, or kills or wounds any domestic animal, or is infected with rabies, or is at large within the town. Possession of dogs impounded under this section may be obtained by paying \$5.00 to the Town Treasurer, plus the cost of keeping said dog. Dogs impounded for a period of seven (7) days may be destroyed by or under direction of the Town Chairman or the Dog Officer or the law enforcement officer who impounded the dog in accordance with Section 174.046(9) of the Wisconsin Statutes.

b. Destruction of Dogs Dangerous to the Public. Any dog found or being within the limits of the town, whether licensed as required by law or not, which is known to be or which there is good reason to believe is made, vicious or dangerous to the public, or which has bitten any person so as to cause a wound which bleeds, may be killed by the Dog Officer or a law enforcement officer. The Dog Officer and any law enforcement officer are given power and authority to enter on private premises for the purpose of finding, taking or killing any such dog, and when any such dog has been killed, the Dog Officer shall have the same removed and buried or otherwise disposed of, unless the owner thereof agrees to see that the carcass of any such dog is buried. Any person owning or having possession, care or control of any dog which is commonly called mad or vicious or dangerous or which has bitten any person as set forth in this section shall permit the Dog Officer to take and kill or impound such dog.

SECTION SIX. PENALTY.

Any person, firm or corporation who shall violate any provision of this ordinance shall upon conviction thereof forfeit not less than \$10.00 nor more than \$200.00, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail until such costs and forfeitures are paid, but not exceeding 30 days. Each violation and each day a violation continues or occurs shall constitute a separate offense.

SECTION SEVEN. STATE LAW.

Nothing contained herein shall be deemed to limit or restrict the application of any state law or administrative regulation of any state agency regulating the subject of this ordinance.

SECTION EIGHT. SEVERABILITY OF CONFLICT.

If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION NINE. EFFECTIVE DATE.

Pursuant to Section 60.80(3) of the Wisconsin Statutes, this ordinance shall take effect the day after publication.